

NOT TO BE PUBLISHED

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.
--

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

DAVID O. AYALA,

Defendant and Appellant.

B155865

(Super. Ct. No. BA216508)

APPEAL from a judgment of the Superior Court of Los Angeles County, Maureen Duffy-Lewis, Judge. Affirmed.

Jerald W. Newton, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant David O. Ayala appeals from a judgment entered after he pleaded no contest to possessing phencyclidine for the purpose of sale (Health & Saf. Code, § 11378.5) and selling phencyclidine (*id.*, § 11379, subd. (a)). The People specifically agreed that defendant did not use a firearm and the offenses were not “strikes.” The trial

court thereafter sentenced defendant to state prison for the agreed-upon term, 2 years on count 1, 3 years on count 2 plus 3 years on the firearm possession enhancement (for a total of 6 years), and 16 months for violation of probation in case number KA049392, all to run concurrently.

We appointed counsel to represent defendant on this appeal. After examining the record, counsel filed a request for independent review of the record, acknowledging that counsel had been unable to find any arguable issues.

On April 25, 2002, we advised appellant that he had 30 days within which to submit personally any contentions or issues that he wished us to consider. To date, we have received no response. After examining the entire record, we are satisfied that appellant's attorney has complied fully with his responsibilities. No arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

NOT TO BE PUBLISHED

SPENCER, P.J.

We concur:

ORTEGA, J.

MALLANO, J.